COURT NO.2

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition (M/B) No. 1324 of 2001
(Old No. 36768 of 1999)

Muslim Gujar Tribal Welfare Committee,
Dheemari Block, Plot No. 4 and 5,
Lot Nos.47 & 48, Forest Range Officer,
Tanda Forest Division, Tarayee Kendraiya
Van Prabhag, Haldwani,
Western Circle, Nainital …….. **Petitioner**

Versus

State of U.P.
and others …… **Respondents.**

Coram: Hon'ble P.C. Verma, J.
Hon'ble B.S. Verma, J.

This is a Writ Petition with a prayer of seeking writ of mandamus to command the respondents to take steps for rehabilitation and source of livelihood of Gujar Muslim Community. This is a Public Interest Litigation.

This Court vide order dated 16.12.2003 provided that this Court vide its order dated 4.11.2003 had directed the State to take policy decision in the matter of general ban, which they have imposed on grazing in forest area. The Divisional Forest Officer was present on that day. It was not pointed out to the Court on that day that the ban was lifted, therefore, the Court provided to take a policy decision by way of last chance.

Today the learned Standing Counsel invited out attention to the Government Officer dated 19th July, 1993, by which a policy decision has been taken. By this Government Order, the grazing of the animals in the forest area has been permitted on payment of certain fees. In view of this decision, the judgment and order dated 04-11-2003 in Writ Petition No. 973 of 2003 stands

complied with. The Government is expected to expedite the decision relating to rehabilitation also.

With the aforesaid observations, the writ petition is disposed of finally.

04.11.2004 **(B.S. Verma, J.)** **(P.C. Verma, J.)**
RCP